

Consumer Protection Commission FY 2016 Annual Report



Fairfax County Consumer Protection Commission
June 30, 2016

Fairfax County Board of Supervisors



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Chairman's Message

I am pleased to report the Consumer Protection Commission continues to help protect Fairfax County consumers from illegal, fraudulent, or deceptive consumer practices in the marketplace. The Commission members work together with staff of the Department of Cable and Consumer Services to fulfill the goals of the Commission.

I want to sincerely thank the Fairfax County Board of Supervisors for the opportunity to serve the residents and businesses of Fairfax County.



John T. Fee
Chairman
Consumer Protection Commission

Executive Summary

Established by the Board of Supervisors in 1964, the Consumer Protection Commission (Commission) serves to help protect consumers from illegal, fraudulent, or deceptive consumer practices in the marketplace. The Commission is responsible for the recommendation of the allocation of taxicab certificates and taxicab rates, and the consideration of appeals on the denial, suspension, or revocation of hackers, peddlers and solicitors, massage therapists, massage establishment, and towing permits. In addition, the Commission analyzes consumer issues in Fairfax County and makes recommendations to the Board of Supervisors as needed. The Commission meets monthly to hear hacker and solicitor appeals, to review information updates from the cable franchise operators (Comcast, Cox, and Verizon), and to hold public hearings on taxi rates and taxicab certificates.



Staff support for the Commission is provided by the Consumer Affairs Branch (CAB) of the Department of Cable and Consumer Services. CAB mediates and investigates consumer complaints, tenant-landlord disputes, and cable issues. In addition, CAB offers voluntary, but legal and binding arbitration when mediation efforts do not achieve satisfactory results. CAB responded to 8,374 case inquiries in Fiscal Year 2016.

The top categories for consumer complaints received by CAB include: tenant-landlord complaints involving security deposit issues and lack of maintenance; home improvement complaints with contractors for failing to complete work or providing faulty service or repairs; towing complaints involving unauthorized tows, towing fees, and failure by towing company to properly display warning signs; cable complaints against cable operators on billing issues and quality of reception or repairs; and retail complaints on purchases made by consumers who dispute the charges, or have warranty issues.

CAB provides presentations throughout the year when requested by schools, homeowner associations, community groups, and senior centers. CAB provided 253 presentations during Fiscal Year 2016. In addition, CAB promotes services through informative tip sheets, an electronic newsletter, posting current consumer issues on social media sites such as Facebook, and the comprehensive Consumer Central website at www.fairfaxcounty.gov/consumer.

After CAB closes a complaint, a case summary outlining the details of the complaint are posted for review on the Department of Cable and Consumer Services Consumer Central web page. This allows consumers to make informed decisions on retail purchases or renting an apartment or home.

Consumer Protection Commission



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The Board of Supervisors established the Public Utilities Commission in 1964. It was not until June of 1972 that the Board designated the Commission to address consumer protection issues and complaints and changed the name to the Consumer Protection and Public Utilities Commission.

The present day Department of Cable and Consumer Services was established as the Department of Consumer Affairs by the Board of Supervisors on March 11, 1974, by combining the staff of the Consumer Protection and Public Utilities Commission and the staff of the Fair Housing Board/Tenant Landlord Commission. This consolidation allowed for the coordination of consumer-oriented projects, a more efficient use of resources, and eliminated duplication of effort. The Commissions continue to exist today, although now called the Consumer Protection Commission and the Tenant-Landlord Commission, and are comprised of Board appointed volunteers.

The Commission's thirteen members are appointed by the Board of Supervisors to three-year terms. At least seven are consumers not actively engaged in business in Fairfax County.

The Commission's mission is to help protect Fairfax County consumers from illegal, fraudulent, or deceptive consumer practices in the marketplace. The duties of the Commission include:

- Advising the Board of Supervisors on issues regarding consumer affairs and cable communications;
- Working with the Department of Cable and Consumer Services on consumer issues; and
- Holding hearings to approve applications for taxicab certificates.

CAB staff responds to inquiries for information, provides referrals, offers advice, and assists residents with mediation regarding consumer issues.

CAB mediates and investigates consumer complaints, tenant-landlord disputes, and cable issues if the transaction occurred in Fairfax County. During Fiscal Year 2016, CAB responded to over 8,374 inquiries relating to issues such as home improvement, tenant-landlord, cable, auto repair, retail purchases, and towing. Consumer Specialists are available to answer advice inquiries on topics such as foreclosure scams, homeowner and condo association questions, contractor issues, and retail purchasing.

When mediation efforts are exhausted, a voluntary, but legally-binding arbitration process is available. Arbitration provides an efficient and inexpensive alternative to court for resolving consumer related disputes.

Consumer Case Inquiries

Case inquiries include consumer complaints, advice inquiries, and consumer walk-ins. Case inquiries vary from month to month for a variety of reasons such as holiday shopping, tax season, weather related issues, and travel. Case inquiries tend to be higher during the spring months following National Consumer Protection Week, when consumers begin home improvement projects, or when tenants decide to move to new rental locations.

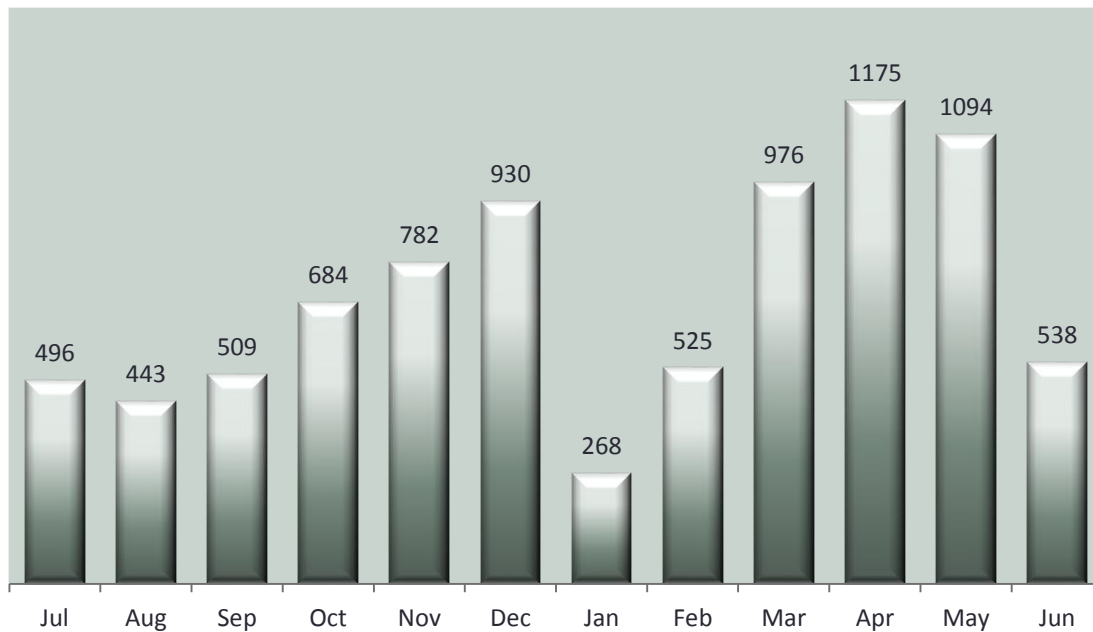


Figure 1 Monthly Consumer Case Inquiries for Fiscal Year 2016

Consumer Complaint Trends

Over the last five years tenant-landlord issues were the most received complaint. While there hasn't been a significant change in the total number of tenant-landlord inquiries, tenant-landlord inquiries as a percentage of all inquiries has changed due to increases in inquiries in other complaint categories.

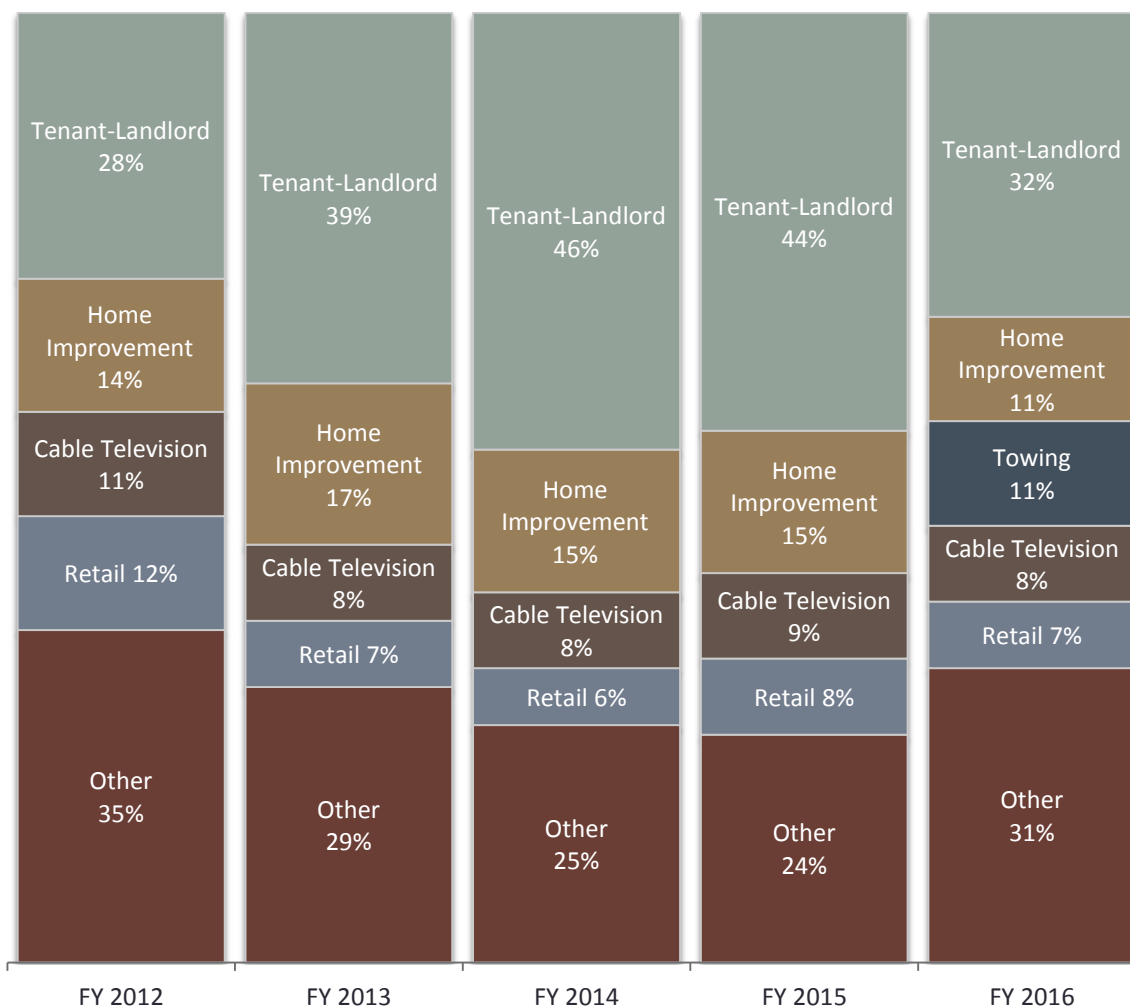


Figure 2 Annual Consumer Top Complaint Categories from Fiscal Year 2012 to 2016

Tenant-landlord complaints include security deposit issues, lack of maintenance, and the desire to terminate or break the lease. Home improvement complaints include contractors failing to complete work, faulty service or repairs, or unauthorized billing. Towing complaints involving unauthorized tows, towing fees, and failure by towing company to properly display warning signs. Cable television complaints concerning billing issues, quality of reception, and private property restoration are filed against cable franchise operators. Utilities (electricity, gas, telephone, water, and sewer) complaints usually involve a billing issue or unauthorized service. Retail complaints encompass purchases made by consumers who dispute charges, have warranty issues, or businesses that fail to display a refund policy.

Consumer Outreach Events

CAB develops educational programs for audiences of all ages on current consumer topics and trends. CAB provides outreach presentations throughout the year when requested by schools, homeowner associations, community groups, and senior centers. The majority of the requests occur during the school calendar year.

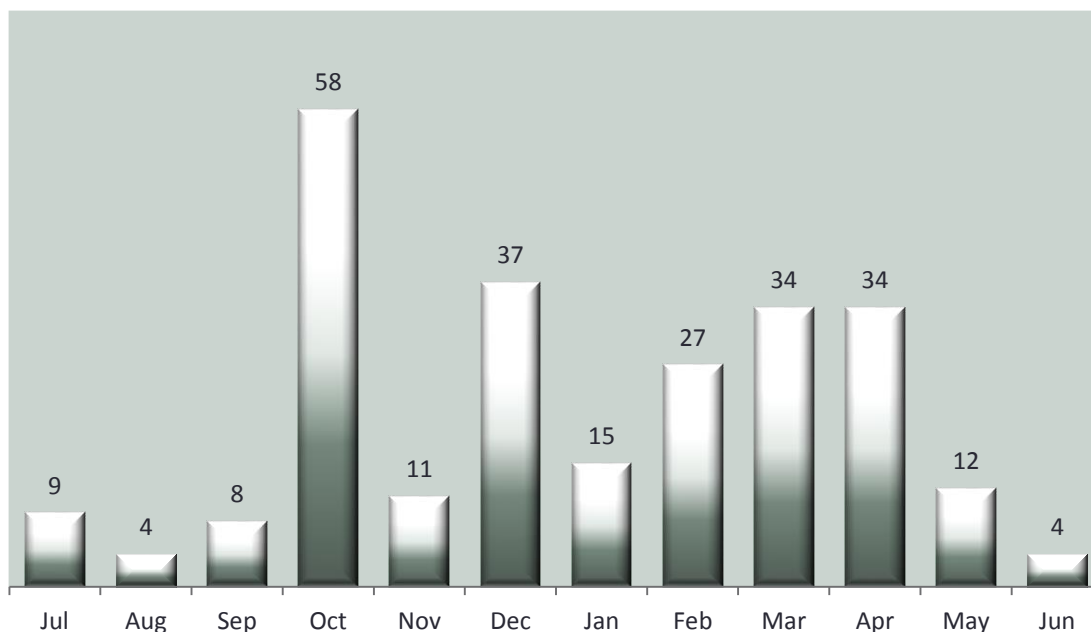


Figure 3 Monthly Consumer Outreach Events for Fiscal Year 2016

CAB offers presentations on the following topics:

- Home Improvement
- Practical Advice about Warranties
- Online Holiday Shopping
- All About Consumer Affairs
- Financial Fitness
- When Debt Collectors Call
- Identity Theft
- How to Recognize a Scam
- What's in Your Credit Report
- High School 101
- Foreclosure Rescue Scams
- Door to Door Scams
- Credit Card Rules
- Medical Identity Theft

In addition, CAB promotes services through informative tip sheets, the *Informed Consumer* electronic newsletter, a comprehensive website, and posting of current consumer issues on social media sites such as Facebook. Following are several examples of social media posts to advise the public of relevant consumer issues and information:

**Fairfax County Consumer Affairs**

Published by Susan Jones [?] · March 24 ·

Ten tips for choosing a tax preparer.

Choosing a Tax Preparer - Fairfax County, Virginia

how to choose a tax preparer

FAIRFAXCOUNTY.GOV

**Fairfax County Consumer Affairs** shared a link.

Published by Heidi Baggett [?] · March 18 ·



Don't Fall for Tree Trimming Scams

So-called "woodchucks" are posing criminal and nature problems in Fairfax County.

FAIRFAXCOUNTY.GOV

**Fairfax County Consumer Affairs**

Published by Susan Jones [?] · April 1 ·

Six ways to protect yourself from credit card skimmers.



6 easy ways to protect yourself from skimmers

As New York and Florida teams sweep gas pumps for illegal devices, take steps to use your cards safely...

CREDITCARDGUIDE.COM

Complaint Summaries

Below are several Fiscal Year 2016 consumer complaint summaries with feedback from consumer's receiving assistance from CAB.

DRIVEWAY REPAIR

In July 2014 a contractor came to the consumer's door and offered to redo a long and damaged asphalt driveway claiming to have a truckload of asphalt from a previous job in the

SUSAN I hope I have learned well from my costly mistake. I know I would have never pursued this matter without CAB's diligent efforts.

neighborhood. The contractor offered the consumer a reasonable price per square foot and the consumer agreed. Within the hour, the contractor began digging up the driveway and through pouring rain completed the driveway. At first glance the job appeared to be nice, but on a closer inspection the consumer realized the job did not meet the standards of the agreed price of \$13,000. The consumer paid the contractor. Fast forward almost a year later, and the driveway was crumbling in several areas, divots appeared, and the area around the garage door had risen about an inch. The consumer contacted the

contractor multiple times who finally responded he was out of state trying to get his new business started. The consumer contacted another contractor and received an estimate of \$9,000 to restore the driveway. The consumer submitted the estimate to the original contractor, offering to accept the loss of \$4,000 since the consumer failed to get a written contract. The consumer never heard back from the original contractor. After CAB intervention, the original contractor found another contractor to do the repairs for \$2,300. The consumer counteroffered and requested \$3,000 to resolve the issue. The original contractor agreed and issued the consumer a refund check in the amount of \$3,000.

CEMETERY MAUSOLEUM DEED

In 1982, the consumer purchased a cemetery mausoleum from a funeral home with two burial spaces for the consumer and the consumer's husband who was buried there with his name engraved on the face of the crypt. The consumer visited several weeks later and found a stranger's name etched above her husband's name. The consumer notified the funeral home and an agreement was made to rebury the consumer's husband in a new mausoleum just for the consumer's use. Fifteen years later, the consumer once again faced the issue that the mausoleum could be shared with strangers. The consumer was told to pay \$5,000 for exclusive rights. The consumer requested the funeral home give the consumer what was paid for in 1982. In July 2015, the consumer contacted CAB and filed a complaint. After CAB intervention, the funeral home agreed to give all spaces in the mausoleum to the consumer at no extra cost, provide a new deed to reflect the changes, remove the consumer's husband's name from the old location, and provide a new improved panel over the current mausoleum to the consumer's satisfaction.

DOROTHY With CAB assistance all problems were resolved in less than one hour and I walked out of the meeting with legitimate deeds for my grave sites and a lot of peace of mind.

THANKSGIVING REFRIGERATOR FAIL

In June 2013 the consumer purchased a refrigerator from a local retailer. Within months of

EVELYN

Thank you very much for your assistance and follow up. I am most appreciative of the support from your office and feel the support was instrumental in the positive outcome.

purchase, the refrigerator began emitting loud, continuous noises and an ice block formed on the back wall of the refrigerator. The consumer contacted the business to make the repairs, costing the consumer \$230. The refrigerator completely stopped working before Thanksgiving 2015. The consumer was forced to throw away \$400 of food. A series of repairs began and the consumer was told the problem was fixed. The repairs did not last and the consumer called the business again to request the refrigerator be repaired. When the last repair failed yet again, the consumer filed a complaint with Consumer Affairs requesting a refund \$2,500 for the cost of the refrigerator. After

CAB intervention, the business agreed to a credit of \$2,500 to put towards the purchase of a new refrigerator, to the satisfaction of the consumer.

Consumer Protection Commission Meetings

The Commission meets the third Tuesday of each month at 7:30 p.m. at the Fairfax County Government Center. Meetings are open to the public and time is available for public comment. The Commission manages an annual planning calendar listing topics for upcoming meetings. The Commission calendar for FY2016 included the following agenda items:

ANNUAL TAXI RATE REVIEW

Presentation by Public Utilities Branch staff recommended no change in taxicab rates for the review period.

PAWN/PRECIOUS METAL AND GEMS ORDINANCE REVIEW

Overview of proposed changes to the ordinance.

HIGH SCHOOL EDUCATIONAL PROGRAM

Presentation by CAB staff of the educational outreach program for Fairfax County high school students.

LICENSE APPEAL HEARINGS

The Commission heard seven hacker license appeals and one solicitors license appeal.

PRECIOUS METAL AND GEM/PAWN ORDINANCE REVISION HEARING

Staff report presented recommended changes to Chapter 33 of Fairfax County Code. CPC made a motion to accept all changes as amended.

In Review

The Commission and CAB will continue to monitor consumer trends to ensure educational information is made available to consumers so they can make informed decisions. The Commission is committed to serving consumers and businesses to make certain that all state and county codes are met. The Commission will continue to make recommendations on taxicab certificates and rates to the Board of Supervisors, adhere to the appeal process for hackers and solicitors, and stay abreast of any changes to legislation that affects consumers.

Fairfax County Consumer Protection Commission

12000 Government Center Parkway, Suite 433
Fairfax, VA 22030

703-222-8435 TTY 711

www.fairfaxcounty.gov/consumer



Fairfax County is committed to nondiscrimination on the basis of disability in all county programs, services and activities. Reasonable accommodations will be provided upon request. To request this information in an alternate format, call 703-222-8435 TTY 711.



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